

## Robocalls - What Are They and How to Avoid Them

### What is a robocall?

Robocalls are unsolicited prerecorded telemarketing calls to landline home telephones, and all autodialed or prerecorded calls or text messages to wireless numbers, emergency numbers, and patient rooms at health care facilities. In many cases, these calls are unwanted and illegal.

### Background

The Federal Communications Commission's (FCC) Telephone Consumer Protection Act of 1991 (TCPA) placed restrictions on automatic dialers, fax machines and unsolicited automated calls to protect the privacy and public safety interests of telephone subscribers.

### What are the rules for robocalls?

FCC rules require a business to obtain your written consent—on paper or through electronic means, including website forms, a telephone keypress—or a recording of your oral consent before it may make a prerecorded telemarketing call to your residential phone number or make an autodialed or prerecorded telemarketing call or text to your wireless number.

### Do all prerecorded autodialed calls to my landline violate FCC rules?

No. Informational messages such as school closings, doctor appointment reminders, political campaign calls or flight information are permissible to your landline phone without prior consent.

### What other calls are permitted under FCC rules?

Market research, polling calls or calls made on behalf of tax-exempt non-profit groups to residential wireline numbers are not restricted by FCC rules. The rules require all prerecorded calls, including market research or polling calls, to identify the caller at the beginning of the message and include a contact phone number.

### Can I opt out of prerecorded calls?

FCC rules require telemarketers to allow you to opt out of receiving additional telemarketing robocalls immediately during a prerecorded telemarketing call through an automated menu. The opt-out mechanism must be announced at the onset of the message and must be available throughout the duration of the call.

### Know your rights

- Telemarketing calls can be stopped by consumers through the Federal Trade Commission's (FTC) Do Not Call Registry (<http://www.donotcall.gov>) which protects both wireless and landline phones. You can also file complaints regarding robocalls at this website.
- All autodialed or prerecorded non-emergency calls to wireless phones are prohibited without prior consent, regardless of the call's content.
- Consumers can take back their permission to be called or texted in any reasonable way. A calling company cannot require someone to fill out a form and mail it in as the only way to revoke consent.

- An existing commercial relationship does not constitute permission to be robocalled or texted.
- Callers are allowed to call a wrong number once before updating their list. This most commonly comes up when one person consented to be called or texted but then they gave up that number and it was assigned to someone else.

## **USTelecom has created a helpful list of Robocall Dos and Don'ts and List of Tools to Stop Robocalls**

### **Robocall Dos**

- Do contact your telephone service provider to inquire about available tools to deal with robocalls.
- Do register your telephone number with and file complaints through the Federal Trade Commission's (FTC) Do Not Call List.
- Do educate yourself about available tools to deal with robocalls.
- Do block calls on your wireless phone in the contact menu.

### **Robocall Don'ts**

- Don't answer calls with an unfamiliar caller ID.
- Don't press 1 or 2 to get removed from their list (it won't work).
- Don't give personal information.
- Don't give financial information.

### **Tools to Stop Robocalls**

- Register with the National Do Not Call Registry: <https://www.donotcall.gov/>
- USTelecom's Sampling of Tools to Block Robocalls: <https://www.ustelecom.org/sites/default/files/files/documents/Robocalls-v5.pdf>

- CTIA—the Wireless Association: <http://www.ctia.org/your-wireless-life/consumer-tips/blocking-robocalls>
- FCC Call Blocking Resources: <https://www.fcc.gov/consumers/guides/stop-unwanted-calls-texts-and-faxes>
- File a complaint with the FCC: [www.fcc.gov](http://www.fcc.gov) or 1-888-225-5322
- File a complaint with the FTC: <https://www.ftccomplaintassistant.gov/> or 1-877-382-4357